

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SARAH J. PIERCE

Plaintiff,

v.

BETTER HOLDCO, INC., VISHAL GARG
and NICHOLAS CALAMARI.

Defendants

Case No. 1:22-cv-04748-AT (OTW)

**MEMORANDUM IN SUPPORT OF MOTIONS TO SUBSTITUTE COUNSEL FOR
VISHAL GARG AND REMOVE NICHOLAS CALAMARI FROM THE ACTION**

Vishal Garg, through counsel, moves this Court, pursuant to Local Civil Rule 1.4, to allow the withdrawal of the law firm Kobre & Kim, 800 Third Avenue, New York, New York 10019, as attorney of record in this matter, and to substitute Jason H. Berland, One Zero Capital, LLC, 1 World Trade Center, New York, New York 10007, as his attorney in this matter.

Pursuant to Federal Rule of Civil Procedure 21, Defendant Nicholas Calamari, through undersigned counsel, respectfully moves this Court for an order removing him from this action. By Judge Torres' Order dated September 29, 2023 (ECF No. 73) on the Defendants' Motion to Dismiss, all claims against Mr. Calamari were dismissed. There is no remaining claim against Mr. Calamari. As such, Mr. Calamari respectfully asks that the Court terminate him as one of the named Defendants in this action and order he be removed from the docket.

There will be no delay from these actions as new counsel will be representing Mr. Garg, and Mr. Calamari will be terminated from the case as a party.

Defendants have met and conferred with counsel for Plaintiff and Better Holdco and they consent to the motion.

Attached is a fully executed stipulation of substitution of counsel, requesting this Court to “so Order” the stipulation.

Dated: New York, New York
March 13, 2024

Respectfully submitted,

KOBRE & KIM LLP

/s/ Steven W. Perlstein

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TO: All Counsel (by ECF)